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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

19 1007M

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UNITED STATES OF AMERICA

COMPLAINT

- against -

(8 U.S.C. § 1326(a))

CARLOS ALBERTO ALBARADO-GAMEZ,
also known as "Carlos A. Gomez,"

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

Dennis Carroll, being duly sworn, deposes and states that he is a Deportation Officer with the United States Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

Upon information and belief, there is probable cause to believe that on or about October 29, 2019, the defendant CARLOS ALBERTO ALBARADO-GAMEZ, also known as "Carlos A. Gomez," being an alien who was deported from the United States, and who had not made an application for readmission to the United States to which the Secretary of the Department of Homeland Security, successor to the Attorney General of the United States, had expressly consented, was found in the United States.

(Title 8, United States Code, Section 1326(a))

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Deportation Officer with ICE and have been involved in the investigation of numerous cases involving the illegal re-entry of aliens. I am familiar with the facts and circumstances set forth below from my participation in the investigation, my review of the defendant's alien file and investigative file, including the defendant's criminal history record, and from reports of other law enforcement officers involved in the investigation.

2. Immigration records revealed that the defendant CARLOS ALBERTO ALBARADO-GAMEZ, also known as "Carlos A. Gomez," is a citizen of Honduras.

3. The defendant's criminal history indicates that he was arrested on or about November 18, 2011, in Nassau County, and charged with rape in the third degree. Thereafter, on May 15, 2012, the defendant was convicted of sexual misconduct, a misdemeanor offense, and sentenced to nine months' imprisonment. Based on the aforementioned conviction, the defendant was required to register with the New York State Sex Offender Registry. The defendant's fingerprints were taken in connection with his November 18, 2011 arrest in Nassau County.

4. After serving his prison sentence in the above-referenced conviction, the defendant CARLOS ALBERTO ALBARADO-GAMEZ, also known as "Carlos A. Gomez," was ordered removed to Honduras by an immigration judge. The defendant was removed to

¹ Because the purpose of this Complaint is to establish only probable cause to arrest, I have not set forth a description of all the facts and circumstances of which I am aware.

Honduras on June 29, 2012. The defendant's fingerprints were taken in connection with his deportation.

5. Following an investigation, it was determined that the defendant CARLOS ALBERTO ALBARADO-GAMEZ, also known as "Carlos A. Gomez," had illegally reentered the United States and was living in Wheatley Heights, New York. On October 29, 2019, ICE officers took the defendant into custody and fingerprinted him as part of arrest processing.

6. A search of immigration records has revealed that there exists no request by the defendant for permission from either the United States Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States after deportation.

7. In furtherance of this investigation, the fingerprints taken from the defendant CARLOS ALBERTO ALBARADO-GAMEZ, also known as "Carlos A. Gomez," in connection with his October 29, 2019 arrest were submitted to the Federal Bureau of Investigation database and compared with the fingerprints taken of the defendant in connection with his November 18, 2011 arrest in Nassau County, as well as his June 29, 2012 removal to Honduras. The results determined that all three sets of fingerprints were made by the same individual.

WHEREFORE, your deponent respectfully requests that the defendant CARLOS ALBERTO ALBARADO-GAMEZ, also known as "Carlos A. Gomez," be dealt with according to law.



DENNIS CARROLL
Deportation Officer
United States Immigration and Customs
Enforcement

Sworn to before me this
9 day of October 2019



ARLENE R. LINDSAY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK